IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE.

WRIT PETITION NO. 5113 OF 2006.

Shri Ramgonda D. Patil ... Petitioner.
V/s.
Shri Jogonda D. Patil, since deceased, throuh his legal heirs... Respondents.

Shri A.M. Kulkarni for the petitioner.

CORAM : V.C.DAGA, J.

DATED : 18.9.2006.

P.C. :

. Heard learned Counsel for the petitioner.

2. The impugned order dated 5.6.2006, passed by the Additional Commissioner, Pune Division, Pune, in Case No. RTS/REV/KO/24/2005 is the subject matter of this petition whereby proceedings are remitted back to the Tahasildar, Shirol, for consideration afresh, in view of the fact that the Tahasildar has failed to consider the objections raised by the respondent herein, while passing order at Ex.D, wherein the Tahasildar has referred to the rival contentions but did not record any finding thereon. In this view of the matter, the Additional Commissioner was perfectly right in setting aside the order of the Tahasildar and remanding the matter back to the Tahasildar for consideration afresh. The Tahasildar is directed to consider the objections of the parties in true letter and spirit

and dispose of the same by a reasoned order as expeditiously as possible at any rate, within 3 months from the date of receipt of copy of this order.

3. Petition stands disposed of in terms of this order with no order as to costs.

(V.C.DAGA,J.)